

CERTIFICATE OF MAILING (under 37 C.F.R. § 1.10 if checked)

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Patte Eliason

Typed name of person mailing transmittal

November 4, 1999

Date of Deposit

Signature of person mailing transmittal

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: To be assigned Group Art Unit No.: 1636
Applicant(s): Fallaux et al. Filing date: July 19, 1999
Serial No.: 09/356,575 For (title): PACKAGING SYSTEMS FOR HUMAN RECOMBINANT
ADENOVIRUS TO BE USED IN GENE THERAPY

COMMUNICATION TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed for filing in connection with the above-identified patent application, and submitted in the order listed, are:

- ☒ Postcard receipt acknowledgment (attached to the front of this transmittal).
- ☒ Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16. Any such fees may be charged to deposit account no. 20-1469.
- ☐ Check no. in the amount of \$ for the presentation of extra claims as calculated in the remarks section below.
- ☐ Preliminary amendment.
- ☐ Amendment or other communication in response to the non-final office action mailed .
- ☐ Amendment or other communication under 37 C.F.R. § 1.116 in response to the final office action mailed .
- ☒ Petition for Extension of Time in duplicate with check no. 12666 in the amount of \$55.00.
- ☒ Verified statement(s) to establish small entity status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27 signed by (or on behalf of) Domenico Valerio on behalf of IntroGene B.V.
- ☐ Information disclosure statement and information disclosure citation form PTO-1449 with copies of listed documents.
- ☒ Notice to File Missing Parts; Form PTO-1533; Declaration for patent application (with power of attorney) form; Check No. 12665 in the amount of \$65.00 for surcharge.

Remarks:

- ☐ An amendment has been made involving one or more claims in the application. The calculation to determine whether any additional fee is due is presented below.

	1	2	3	EXTRA
Total claims	-	=	x 18.00 =	
Indep. claims	-	=	x 78.00 =	
First presentation of a multiple dep. claim (+260.00)				
SUBTOTAL				
Reduction for small entity - 50% of subtotal*				
TOTAL ADDITIONAL FEE (subtotal minus any reduction)				

*Verified statement(s) must be attached to support this reduction if small entity status has not been previously established.

- 1 Claims remaining after amendment.
- 2 Highest number of claims previously paid for. Not less than 20 for total claims and 3 for independent claims.
- 3 Difference between claims remaining and highest number previously paid for. If less than zero, enter "0."

- ☒ The commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to deposit account no. 20-1469 during the entire pendency of this application.

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00000103 09356575

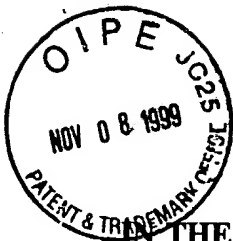
65.00 0P

Respectfully submitted,

Allen C. Turner
Reg. No. 33,041
TRASK, BRITT & ROSSA
P.O. Box 2550
Salt Lake City, UT 84110-2550
(801) 532-1922

Date: November 4, 1999
Enclosures: As identified above

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fallaux et al.

Serial No.: 09/356,575

Filed: July 19, 1999

For: PACKAGING SYSTEMS FOR
HUMAN RECOMBINANT
ADENOVIRUS TO BE USED IN GENE
THERAPY

Examiner: To be assigned

Group Art Unit: 1636

Attorney Docket No.: 3935US

CERTIFICATE OF MAILING

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

11-4-99
Date of Deposit

Lynette Eliason
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Lynette Eliason
Typed/printed name of person whose signature is contained above

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In connection with the above-referenced patent application, enclosed is a copy of the Notice to File Missing Parts of Application (Form PTO-1533), along with a signed Declaration and Power of Attorney form; Verified Statement Claiming Small Entity Status; and Check No. 12665 in the amount of \$65.00 for the surcharge.

Applicant includes herewith a Petition for Extension of Time for a one month extension of time. The Petition is accompanied by a check to cover the cost of this one month extension.

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01 FC:215

55.00 OP

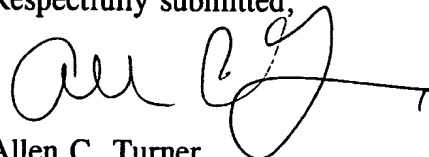
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STATUS AND ENTITY
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Checks in the amounts of \$65.00 and \$55.00 are enclosed in payment of all required fees. If the amounts of the checks are insufficient, please debit Deposit Account No. 203 1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

The PTO did not receive the following
listed item(s) CHECKS OF \$65.00
AND \$55.00

Respectfully submitted,



Allen C. Turner
Registration No. 33,041
Attorney for Applicants
TRASK, BRITT & ROSSA
P. O. Box 2550
Salt Lake City, Utah 84110-2550
Telephone: (801) 532-1922

Enclosures: Copy of Notice To File Missing Parts of Application
Declaration For Patent Application (With Power of Attorney) form
Verified Statement Claiming Small Entity Status
Check No. 12665 in the amount of \$65.00
Petition for Extension of Time
Check No. 12666 in the amount of \$55.00

Date: November 4, 1999

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
BRANCH

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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BEST AVAILABLE COPY

ALLEN C. TURNER
FRANK BRITTE & RUSSA
P.O. BOX 2540
SALT LAKE CITY, UT 84110

NOT ASSIGNED

DATE MAILED:

08-17-99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE to avoid abandonment**.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☐ insufficient.

Applicant must submit _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for independent claims over 3 11/18/1999 YGIZAW 00000103 09356575

\$ _____ for dependent claims over 20 02 FC:205 65.00 OP

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202 045 37 10

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